

REMARKS / ARGUMENTS

Claims 41-45 remain pending in this application. Claims 23-40 have been canceled without prejudice or disclaimer. New claims 41-45 have been added.

35 U.S.C. § 103

Claims 23-35 and 38 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Jones et al (U.S. Patent No. 5,623,547) in view of either to Griffin (U.S. Patent No. 5,666,402) or to Nysen et al (U.S. Patent No. 5,164,985). Claims 28-30 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Jones et al, as applied to claims 23-35 and 38, in view of either Prinsze (U.S. Patent No. 4,092,580) and further/or Kuriyama (U.S. Patent No. 5,910,652). These rejections are traversed as follows.

The Examiner is apparently unwilling to give functional recitations in the previously pending claims patentable weight, and thus, has maintained his rejection. Applicants submit that the functional limitations in the previously pending claims should be given patentable weight in that they further define the structure to which they relate.

Nevertheless, in order to expedite prosecution, Applicants have presently accepted the Examiner's suggestion to have only method claims examined, as mentioned at the bottom of page 3 of the Office Action. New method claims have been prepared for this purpose.

The present claims are directed to a method for transferring electronic money as follows. An instruction is received from an external device to transfer electronic money to/from an IC card, the external device being connected to a modem via a switch. An amount of electronic money to be transferred and the direction in which the electronic money should be transferred is read. The amount of electronic money and the direction in which the electronic money should be transferred are displayed. It is determined if a confirmation has been received in response to the step of displaying. If a confirmation has been received, the switch is operated to connect the modem to a data processing unit which processes electronic money transactions with the IC card, while disconnecting the modem from the external device. Finally, the data processing unit is instructed to transfer the electronic money to/from the IC card.

None of the cited references disclose operating a switching to connect a modem to a data processing unit which processes electronic money transactions with an IC card, while disconnecting the modem from an external device. The external device being the device that sends an instruction to transfer electronic money to/from an IC card.

As mentioned above, it appears that the Examiner's rejection is based upon an interpretation of the previous claims which failed to give certain portions of those claims any patentable weight. The Examiner contends that Applicants continue to argue the intended use of a physical structure. While Applicants disagree with this

characterization of their claims and arguments, it is submitted that the currently pending method claims should be considered in their entirety.

Since none of the cited references disclose or suggest operating any switch to connect a modem to a data processing unit which processes electronic money transactions with an IC card, while disconnecting the modem from an external device which provides the instruction to transfer electronic money to/from the IC card, it is submitted that the pending claims patentably define the present invention over the cited art.

Conclusion

In view of the foregoing, Applicants respectfully request that a timely Notice of Allowance be issued in this case.

Respectfully submitted,

MATTINGLY, STANGER, MALUR & BRUNDIDGE, P.C.

By _____
Shrinath Malur
Reg. No. 34,663
(703) 684-1120